Application No.: 09/438,392

Amendment Dated 5 February 2004

Reply to Office Action of 5 November 2003

AMENDMENTS TO THE SPECIFICATION

Please replace the paragraph at page 1, lines 21-31 with the following replacement paragraph:

Selectable markers are widely used in plant transformation. Historically such markers have

often been dominant genes encoding either antibiotic or herbicide resistance (Yoder and

Goldsbrough, 1994). Such markers include the antibiotic resistance markers nptII, Ble, cat, aphIV,

SPT, aacC3 and aacC4, the herbicide resistance markers bar, EPSP, bxn, psbA, tfdA, sul and csr1-1,

and the selectable markers dhfr, DHPS, AK and tdc. Although such markers are highly useful, they

do have some drawbacks. The antibiotics and herbicides used to select for the transformed cells

generally have negative effects on proliferation and differentiation and may retard differentiation of

adventitious shoots during the transformation process (Ebinuma et al., 1997). Also, some plant

species are insensitive to or tolerant of these selective agents, and therefore, it is difficult to separate

the transformed and untransformed cells or tissues (Ebinuma et al., 1997). Further, these genes are

constitutively expressed, and there are environmental and health concerns over inserting such

constitutively expressed genes in plants which are grown outside of a laboratory setting (Bryant and

Leather, 1992; Gressel, 1992; Flavell et al., 1992).

Please replace the paragraph at page 4, lines 16-19 with the following replacement paragraph:

The knotted gene and knotted-like genes are a third group of genes which when

overexpressed can lead to ectopic production of adventitious shoots (Chuck et al., 1996; Lincoln et

al., 1994). These genes include kn1 of maize, KNAT1, KNAT2, kn1-like genes of maize, kn1-like

gene of rice and kn1-like gene of soybean. These genes can be used as selectable markers in the

same manner as the ipt and CKI1 genes.

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